

REMARKS

The allowance of claims 2 and 8 is noted with appreciation, as is the continued allowance of claims 12-16.

During the preparation of this response a typographical error was noticed and corrected in the allowed dependent claims 13-16. As such, it is submitted that the foregoing amendments to claims 13-16 were not made for a reason related to patentability, and are merely of a cosmetic nature. This being the case, the full range of equivalents for all elements of the amended claims should remain intact.

Claims 1, 4-7, 10 and 11 were rejected under 35 U.S.C. 102(e) as being anticipated by the newly cited Beidas et al. (US 2002/0141356 A1), while claims 3 and 9 were rejected under 35 U.S.C. 103(a) as being unpatentable over Beidas et al. in view of Chiodini (US 5,848,794). These rejections are respectfully disagreed with, and are traversed below.

Claim 1 refers in part to "shifting a transmitter baseband signal by an amount indicated by the receiver tracking signal during the receive period, and in a direction opposite to the direction indicated by the receiver tracking signal during the receive period; and transmitting a second carrier signal that is modulated in accordance with the shifted transmitter baseband signal".

The Examiner points to paragraph 49 of Beidas et al. for purportedly teaching this subject matter.

However, what is actually said in paragraph [0049] of Beidas et al. is the following:

"In accordance with an embodiment of the present invention, synchronization can be accomplished through the use of a beacon signal incorporated into the downlink signal 104. The downlink signal is time divided into frames, preferably 3 msec frames, with each frame further divided into time slots. At least one time slot, preferably the first time slot, in each frame contains the beacon signal, which will be described in further detail below. The STs 106 receive the beacon signal, and in combination with satellite ephemeris information are able to coordinate

their respective transmissions of their respective uplink signals so that they arrive at the satellite 102 in their respective assigned time slots." (emphasis added)

That is, what Beidas et al. appear to be teaching is a temporal, time alignment or synchronization of the uplink transmission to the satellite by each of the satellite terminals (STs). Note that in paragraph [0011] that Beidas et al. refer to the importance of the STs "to be synchronized in both timing and frequency with the satellite". Clearly, a review of the drawing figures and description of Beidas et al. shows the ST receiver acquisition and tracking blocks. It is not believed that there is any disclosure of any method or means for "shifting a transmitter baseband signal by an amount indicated by the receiver tracking signal during the receive period, and in a direction opposite to the direction indicated by the receiver tracking signal during the receive period; and transmitting a second carrier signal that is modulated in accordance with the shifted transmitter baseband signal", as is recited in claim 1.

In fact, the word "transmitter" appears in Beidas et al. in the claims and in paragraphs [0014] and [0018] in the context of the downlink satellite transmitter. It is not seen where the ST transmitter is shown or described, nor is it seen where there is any disclosure of the subject matter recited in claim 1. Further, while the word "baseband" does appear in Beidas et al. in paragraph [0050], the reference is to the downlink receiver IF/baseband down-converter 114, and not to any satellite uplink transmitter and/or transmitter baseband circuitry.

In contradistinction to the Examiner's statement regarding paragraph [0049], it is submitted that the text reproduced above and the other disclosure of Beidas et al. does not imply an operation that would anticipate the claimed subject matter. There is clearly no express disclosure in Beidas et al. of subject matter that would anticipate the subject matter claimed in claim 1.

The Examiner is again respectfully reminded that for a rejection to be made on the basis of Section 102(e), it is well recognized that "to constitute an anticipation, all material elements recited in a claim must be found in one unit of prior art", Ex Parte Gould, BPAI, 6 USPQ 2d, 1680, 1682 (1987), citing with approval In re Marshall, 578 F.2d 301, 304, 198 USPQ 344, 346 (CCPA 1978).

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In that "all material elements" of claim 1 are clearly not found in Beidas et al., for this reason alone claim 1 is not anticipated by Beidas et al. The same argument is advanced for the patentability of independent claim 7, which includes the language:

"a transmitter comprising circuitry that is operable during a next transmission period for generating a frequency for a transmitter baseband signal that is shifted by an amount indicated by the receiver tracking signal, and in a direction opposite to the direction indicated by the receiver tracking signal."

Based on the foregoing arguments it should be clear that the independent claims 1 and 7 are not anticipated by Beidas et al., and neither are these claims rendered obvious by Beidas et al. This being the case, each of claims 1, 3-5, 6, 7 and 9-11 should be found to be allowable over Beidas et al., whether or not the teachings of Chiodini are considered also with Beidas et al.

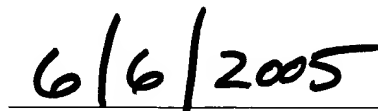
Claims 17-19 are newly added, and are similar in some respects to allowed claims 12-16, and are also deemed to be in condition for allowance.

The Examiner is respectfully requested to reconsider and remove the rejections of claims 1, 3-7 and 9-11, and to also allow these claims. An early notification of the allowability of all of the now pending claims 1-19 is earnestly solicited.

Respectfully submitted:



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